

AO 91 (Rev. 11/11) Criminal Complaint

U.S. DISTRICT COURT - N.D. OF N.Y.

UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA)

v.)

Isidro Antonio Capellan Garcia)

AKA / Jose Odalis Paulino Santos)

AKA / Estarin Cruz Garcia,)

Defendant)

Case No.

8:14-M-343 (LAK)

FILED

SEP 25 2014

AT 0'CLOCK

Lawrence K. Baerman, Clerk - Plattsburgh

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 23, 2014 in the county of Clinton in the Northern District of New York the defendant(s) violated:

Code Section
8 U.S.C. § 1326(a)

Offense Description
Illegal Re-entry

This criminal complaint is based on these facts:

On September 23, 2014, the subject applied for admission to enter the United States at the Champlain, New York Port of Entry as a passenger in a Quebec registered vehicle. The subject presented a Spanish passport bearing the name Isidro Antonio CAPELLAN GARCIA as proof of his identity and citizenship. Subject was questioned in Spanish as to his previous travels to the United States. Subject denied any previous travel to the United States and stated that this was his first attempt to enter the United States. Subject stated that the purpose of the trip was to go shopping in Plattsburg, NY. Service record checks based on fingerprints analysis revealed

☒ Continued on the attached sheet.


Complainant's signature


Printed name and title

Sworn to before me and signed in my presence.

Date: September 25, 2014


Judge's signature

City and State: Plattsburg, New York

Hon. Larry A. Kudrle, U.S. Magistrate Judge

Printed name and title

Continuation Sheet for United States of America v. Isidro Antonio Capellan Garcia, AKA / Jose Odalis Paulino Santos, AKA / Estarin Cruz Garcia,

Subject was removed from the United States to Dominican Republic on February 03, 1999 under the name Estarin CRUZ GARCIA, and also removed from the United States to Dominican Republic on October 02, 2003 under the name Jose Odalis PAULINO SANTOS. The subject does not have the express consent of the Attorney General, or his successor, the Secretary for Homeland Security to reapply for admission into the United States. Subject was provided Miranda warnings and after being so advised he stated that he had been removed from the United States in 2003 and that he had used different names that he "bought" while in the United States. Further, subject insisted that the identification in the Spanish passport that he presented at the Champlain POE is his true and actual identity.